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10 UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF WASHINGTON

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 ALI ABED YASER,
16 (a/k/a “Abu Hasanain”),
17 HUSSEIN A. YASIR,
18 (a/k/a “Abu Fakhri”),
19 INSAF A. KARAWI,
20 HASANEIN A. YASER,
21 NOOR TAHSEEN AL-MAAREJ,
22 (a/k/a “Noor T. Almarej”),
23 AMEER R. MOHAMMED,
24 MARIA ELENA SANCHEZ,
25 KHALIL ABDUL-RAZAQ,
26 JESUS GEORGE SANCHEZ, and
27 MOHAMMED NAJI AL-JIBORY,

28 Defendants.

Case No.: 4:21-CR-06042-SMJ-(1),
(2), (3), (4), (9), (13), (15), (20), (21),
and (23)

Government’s Motion To Disclose To
Defense Counsel But Not Unseal

Without Oral Argument

January 20, 2022 @ 6:30p.m.

Plaintiff, United States of America, by and through Vanessa R. Waldref, United States Attorney for the Eastern District of Washington, and George J.C. Jacobs, III, and Dominique J. Park, Assistant United States Attorneys for the Eastern District of Washington, respectfully submits the following Motion to Disclose to Defense

1 Counsel But Not Unseal. Defense counsel has been advised of the instant motion and
2 has no objection.

3 On December 7, 2021, the Grand Jury for the U.S. District Court for the Eastern
4 District of Washington issued an Indictment charging Wire Fraud, in violation of 18
5 U.S.C. § 1343; Mail Fraud in violation of 18 U.S.C. § 1341; Conspiracy to Commit
6 Mail Fraud and Wire Fraud, in violation of 18 U.S.C. §§ 1341, 1343, 1349;
7 Conspiracy to Commit Health Care Fraud in violation of 18 U.S.C. §§ 1347, 1349;
8 Tampering with Witness in violation of 18 U.S.C. § 1512(a)(2)(C); Tampering with
9 Witness in violation of 18 U.S.C. § 1512(b)(1); Attempted Tampering with Evidence
10 in violation of 18 U.S.C. § 1512(b)(2)(B); Attempted Obstruction of an Official
11 Proceeding in violation of 18 U.S.C. § 1512(c)(2); Conspiracy to Obstruct an Official
12 Proceeding in violation of 18 U.S.C. §§ 1512(a)(2)(C), 1512(b)(1), 1512(b)(3),
13 1512(c)(2), 1512(k); and Making False Statements Within Jurisdiction of Executive
14 Branch in violation of 18 U.S.C. § 1001(a)(2). ECF No. 1.

15 The underlying investigation that resulted in this Indictment involved 45 sealed
16 search warrant applications to the Court in this district. For a number of reasons, the
17 documents should remain sealed to public access. The primary basis for the request
18 is that these sealed documents pertain to an ongoing investigation and may, by
19 inference, involve targets which have not yet been fully identified by law enforcement
20 as having been involved in this underlying conduct.

21 The United States acknowledges that the defendant needs access to the
22 information contained within those documents to evaluate their exposure, enter plea
23 negotiations, and prepare a defense.

24 **I. Disclosure But Not Unsealing:**

25 To achieve the balance between the need to seal documents from public
26 disclosure and the right of the Defendant to be advised of the basis of the charge(s)
27 against him or her, the United States respectfully requests this Court to authorize the
28 United States to disclose the documents below to defense counsel in discovery.

1 Accordingly, the United States requests authorization to provide the following
2 documents to defense counsel in this case while those documents remain under seal
3 for all other purposes:

4 **1. Search Warrants:**

5 All documents filed in the following case numbers:

- 6 a) No. 20-MJ-7109-MKD
- 7 b) No. 20-MJ-7110-MKD
- 8 c) No. 20-MJ-7111-MKD
- 9 d) No. 20-MJ-7112-MKD
- 10 e) No. 20-MJ-7113-MKD
- 11 f) No. 20-MJ-7115-MKD
- 12 g) No. 20-MJ-07119-MKD
- 13 h) No. 20-MJ-07120-MKD
- 14 i) No. 20-MJ-07121-MKD
- 15 j) No. 20-MJ-07122-MKD
- 16 k) No. 20-MJ-07123-MKD
- 17 l) No. 20-MJ-07124-MKD
- 18 m) No. 20-MJ-07125-MKD
- 19 n) No. 20-MJ-07126-MKD
- 20 o) No. 20-MJ-07127-MKD
- 21 p) No. 20-MJ-07128-MKD
- 22 q) No. 20-MJ-07129-MKD
- 23 r) No. 20-MJ-07130-MKD
- 24 s) No. 20-MJ-07131-MKD
- 25 t) No. 20-MJ-07132-MKD
- 26 u) No. 20-MJ-07133-MKD
- 27 v) No. 20-MJ-07134-MKD
- 28 w) No. 20-MJ-07136-MKD
- x) No. 20-MJ-07137-MKD
- y) No. 20-MJ-07138-MKD

1 z) No. 20-MJ-07139-MKD
2 aa) No. 20-MJ-07140-MKD
3 bb) No. 20-MJ-07141-MKD
4 cc) No. 20-MJ-07142-MKD
5 dd) No. 20-MJ-07143-MKD
6 ee) No. 20-MJ-07144-MKD
7 ff) No. 20-MJ-07145-MKD
8 gg) No. 20-MJ-07146-MKD
9 hh) No. 20-MJ-07147-MKD
10 ii) No. 20-MJ-07148-MKD
11 jj) No. 20-MJ-07149-MKD
12 kk) No. 20-MJ-07150-MKD
13 ll) No. 20-MJ-07151-MKD
14 mm) No. 20-MJ-07152-MKD
15 nn) No. 20-MJ-07153-MKD
16 oo) No. 20-MJ-07154-MKD
17 pp) No. 20-MJ-07155-MKD
18 qq) No. 20-MJ-07156-MKD
19 rr) No. 20-MJ-07157-MKD
20 ss) No. 20-MJ-07158-MKD

21 **II. Reference of the Existence and the Content of Sealed Documents:**

22 In addition to the disclosure of the aforementioned sealed documents to defense
23 counsel, the United States respectfully requests this Court to authorize any attorney
24 for the Government, and or any Government witness, appearing in court (including
25 U.S. Magistrate Court, U.S. District Court, and the U.S. Court of Appeals for the
26 Ninth Circuit) in any hearings related to the prosecution of this case to make open-
27 Court and/or closed-Court references to the existence and/or the content of such sealed
28 documents. Likewise, the United States further requests this Court to authorize
defense counsel appointed or retained to represent Defendants charged pursuant to this

1 Indictment, or any Superseding Indictment or Information, to make open-Court and/or
2 closed-Court references to the existence and/or the content of such sealed documents.

3 Dated: December 20, 2021.

4 Vanessa R. Waldref
5 United States Attorney

6 s/ George J.C. Jacobs, III
7 George J.C. Jacobs, III
8 Assistant United States Attorney
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CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the Counsel of record.

s/ George J.C. Jacobs, III
George J.C. Jacobs, III
Assistant United States Attorney